

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, October 28, 2009

Work Session - 5:00 p.m.

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

Work Session – 5:00 p.m.

1. Call to Order
2. Roll Call
3. Review and Evaluation of Auditor Proposals
4. Review and Evaluation of Cagle Road Improvement Proposals
5. Discussion of Suggested Cagle Subdivision Road Improvements
6. Adjourn Work Session

B. Regular Session – 6:00 p.m.

1. Call to Order
2. Establish Quorum
3. Pledge of Allegiance
4. Added Agenda Items
Any matters added to this Agenda at this time will be discussed during the “Other Matters” portion of this Agenda or such other time selected by the City Council.

5. Consent Agenda
Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request.

- a. Approval of Minutes
 - i. October 13, 2009 – Special Meeting Minutes
 - ii. October 14, 2009 – Regular Meeting Minutes
- b. Bills and Invoices
 - i. Approval of Reimbursements.

6. Presentation by Newberry Habitat for Humanity
Michael Beeson, Representative
7. Approval of Temporary Liquor License for Casino Night
8. Consideration of Vehicle Acquisition
9. Support Letter for La Pine Community Kitchen
10. Letter to Senator Wyden
11. City Recorder Wage Increase
12. City Auditor Selection
13. Contractor Selection for Cagle Road Improvements
14. Planning Commission – Update on Commission Activities
15. Other Matters
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
16. Public Comments for Items not on the Agenda
17. Staff Comments
18. Council Comments
19. Adjourn

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meetings. This notice does not limit the ability of the City Council to consider or discuss additional subjects. The meetings are subject to cancellation without notice. The meetings are open to the public and interested citizens are invited to attend. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Luana K. Damerval at (541) 536-1432.

LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, October 28, 2009

Work Session - 5:00 p.m.

51340 Highway 97, La Pine, Oregon 97739
South County Building Meeting Room

A. Work Session - 5:00 p.m.

1. Call to Order

Mayor Shields called the meeting to order at 5:09 pm.

2. Roll Call

Present Were:

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele Moilanen – absent by prior arrangement

City Attorney Jeremy Green

City Recorder Luana Damerval

Admin Ass't Patricia Morgan

Quorum established.

00:01:10

3. Review and Evaluation of Auditor Proposals

City Recorder Damerval stated that the City only received one proposal from the bid process. There was consensus to move the auditor bid proposal from Gregor Professional Corporation to the Regular Session for voting purposes.

00:05:40

4. Review and Evaluation of Cagle Road Improvement Proposals

City Recorder Damerval recommended the Vic Russell proposal over the Hooker Creek and Knife River proposals because of the cost.

Discussion followed on the disparities in amount and type of information included in the quotes from each of the contractors, and on other elements of the project.

City Attorney Green stated that the Council could authorize someone to sign the contract.

00:11:40

City Recorder Damerval stated that once this project is completed, the City will receive a \$25,000 grant as this work would be the third part of a project.

There was also a discussion of the local gravel mountain that Vic Russell owns. This was considered one of the reasons his bid was so much lower than the other two bids.

00:15:04

City Attorney Green stated that the City Council can award the contract even though the bid proposal was not complete.

00:15:56

Councilor Barbara Hedges stated that she would like to see some work dates and also who will be working on the project in a bid proposal from Vic Russell.

00:18:28

Mayor Shields stated she was uncomfortable with approving the bid without all the required information. She also said that water may be needed and that is not included in the Vic Russell bid.

00:23:16

Mayor Shields requested a timeline from Vic Russell and also said that she would want it adhered to for the project.

00:26:30

City Attorney Green stated that the bid request does require the City to select the lowest bidder. He said that the Council could recommend the Mayor to select the contractor so the issue would not have to be revisited again in two weeks.

00:29:54

Mayor Shields asked the Council if they are comfortable with having her award the contract to Vic Russell based on getting additional information. Council had consensus for the Mayor to award the contract and also sign it.

00:32:14

5. Cagle Subdivision Improvements

City Recorder Damerval stated that the rest of the Cagle subdivision, excluding Cagle Road and including Drafter Road, requires some road work prior to winter. She said it could probably be done in the \$5,000 price range. Mayor Shields stated that having those roads worked on now would make it easier for the snow plowing this winter. City Recorder Damerval said that the crowns need to be put back on the roads for drainage purposes.

Councilor Ward stated that if the City has the money it should go ahead and do the road work now.

00:39:30

City Attorney Green stated that the Council could authorize City Recorder Damerval to award the contract so the issue would not have to be back on the Agenda again.

The Council had consensus to move this item to the Regular Session for 15b under Other Matters. Mayor Shields stated that 15a) will be the Midstate Electric/Ford Foundation Contract Discussion.

Added Agenda Item for Work Session:

00:42:32

6. Communication Between Staff and Council

Mayor Shields discussed the e-mail that Administrative Assistant Patti Morgan had sent to City Recorder Damerval requesting to be copied on e-mails going to Council, etc. Administrative Assistant Morgan said that the issue had come up due to a problem with locating an e-mail for Councilor Hedges from City Attorney Green.

Mayor Shields stated she favored all staff, most of the time getting all e-mails so that it helped with the flow of communication. City Attorney Green stated that he thought it was an internal staff issue. He also said that it was the City Recorder's responsibility to coordinate the flow of information.

00:47:40

Councilor Ward briefly discussed the call he received from The Bulletin regarding an underground drainage issue that was killing fish. Mayor Shields said she had also received a call from The Bulletin. Both Councilors agreed that it was an issue for the County not the City of La Pine.

00:49:30

Councilor Hedges suggested providing City Recorder Damerval with a cell phone. Mayor Shields stated that if the City Recorder has the monies in the office budget, she had no problem with the City providing a cell phone for staff. City Recorder Damerval said she was agreeable to having a staff cell phone.

00:53:30

City Attorney Green stated that the issue would need to go to a Regular Session for voting purposes. Council had consensus to move this item to the Regular Session Agenda.

7. Adjourn

A motion was made by Councilor Ward and seconded by Councilor Hedges to adjourn the Meeting.

Vote as follows:

AYE

NAY

Mayor Kitty Shields

X

Councilor Doug Ward

X

Councilor Barbara Hedges

X

Motion passed unanimously.

The meeting was adjourned at 6:04 pm by Mayor Shields.

LA PINE CITY COUNCIL MEETING MINUTES
Wednesday, October 28, 2009
Regular Session - 6:00 p.m.
51340 Highway 97, La Pine, Oregon 97739
South County Building Meeting Room

B. Regular Session - 6:00 p.m.

1. Call to Order

Mayor Shields called the meeting to order at 6:10 pm.

2. Establish Quorum

Present Were:

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele Moilanen – absent by prior arrangement

City Attorney Jeremy Green

City Recorder Luana Damerval

Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

The Pledge of Allegiance was led by citizen Ann Gawith.

4. Added Agenda Items

Any matters added to this Agenda at this time will be discussed during the “Other Matters” portion of this Agenda or such other time selected by the City Council.

Mayor Shields placed three added Agenda Items under Other Matters, Agenda Item #15.

15a) Midstate Electric and Ford Foundation Contracts Discussion

15b) Cagle Subdivision Road Improvements

15c) Approval of Cell Phone Acquisition for Staff

5. Consent Agenda

Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request.

- a. Approval of Minutes
 - i. October 13, 2009 - Special Meeting Minutes
 - ii. October 14, 2009 - Regular Meeting Minutes

The Minutes were pulled from the Consent Agenda and carried over to the November 10, 2009 meeting, as they were not completed in time for this Meeting.

- b. Bills and Invoices
 - i. Approval of Reimbursements

Mayor Shields stated that Councilor Moilanen's Mileage Reimbursement Form had no explanation given for the mileage. She said she would like the Bills & Invoices pulled from the Consent Agenda and moved to Added Agenda Items #15d.

01:00:02

6. Presentation by Newberry Habitat for Humanity

Michael Beeson, Chairman of the Board of Directors, stated that they are moving forward with a plan to build at least three homes a year. He said because of some available federal funding, Habitat for Humanity is now capable of picking up a subdivision in La Pine. Mr. Beeson stated there are twelve buildable lots ready to be built on from a foreclosure. He also said they now need to acquire a larger labor force. Mr. Beeson stated the minimum income to qualify for a home is \$17,000 a year. He said for a family of four the maximum would be \$37,000 a year.

Mr. Beeson stated that there could be, within the next five years, as many as 24 homes in the City of La Pine. He said they have recently leased a building in La Pine for a Re-Store. This store would take donations of building materials and re-sell them to generate revenue for homebuilding. Mr. Beeson stated they hope to have it up and running before the first of the year.

01:13:40

Mayor Shields invited Mr. Beeson to attend the next Comprehensive Plan Hearing scheduled for Nov. 18, 2009. She also thanked him for a good presentation.

01:07:02

7. Approval of Temporary Liquor License for Casino Night

Council had no questions or comments regarding this agenda item.

A motion was made by Councilor Hedges and seconded by Councilor Ward to approve the Temporary Liquor License for Casino Night:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

01:18:20

8. Consideration of Vehicle Acquisition

City Recorder Damerval stated that, per Council request, she had changed the mpg for the vehicle to 30 mpg on her staff memo. She said the auto insurance will be charged out of the insurance line item in the budget and the gas would go under meetings and travel.

Councilor Ward stated that the vehicle would save the City money in mileage reimbursement. Councilor Hedges said she would like it if the vehicle could have a public license plate. Mayor Shields said that the vehicle could be obtained but not used until an appropriate point in time. City Recorder Damerval said that CIS will be the insurer of the vehicle.

A motion was made by Councilor Ward and seconded by Councilor Hedges to approve the Acquisition of the Jeep 4x4 from the City of Sisters:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

9. Support Letter for La Pine Community Kitchen

Councilor Hedges stated that the idea of a food bank across the street from the dining area was excellent. Councilor Ward said the Support Letter should be signed and sent off.

A motion was made by Councilor Ward and seconded by Councilor Hedges to approve the Letter of Support for the La Pine Community Kitchen.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

10. Letter to Senator Wyden

City Attorney Green stated that Bob Lovlien has reviewed the letter and it has also been reviewed by Mayor Shields. The letter concerns the proposed land transfer from BLM. Mayor Shields said she and Mr. Lovlien will rework the letter into City of La Pine language.

A motion was made by Councilor Ward and seconded by Councilor Hedges to authorize the Mayor to work with legal counsel Bob Lovlien to put the letter to Senator Wyden in our words, and for the Mayor to sign it and get it out:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

01:31:40

11. City Recorder Wage Increase

Councilor Hedges stated that she had one section on the Memo Wage Increase she wanted changed. She said she would like the wording changed from exemplary performance evaluation to satisfactory performance evaluation.

A motion was made by Councilor Ward and seconded by Councilor Hedges to approve the City Recorder's Wage Increase with one change as noted:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

A motion was made by Councilor Ward and seconded by Councilor Hedges to approve the job description for the City Recorder position as described:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

01:36:28

12. City Auditor Selection

Mayor Shields stated that they received one response to the City’s informal solicitation. She said this matter was discussed in the Work Session and Council had consensus to move the selection forward.

Councilor Ward stated that the auditor had experience with several public entities and the proposal was very professionally presented.

A motion was made by Councilor Ward and seconded by Councilor Hedges to approve the selection of the Gregor Professional Corporation as the City Auditor.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

A motion was made by Councilor Ward and seconded by Councilor Hedges to amend the previous motion and authorize City Recorder Damerval to award the contract to the Gregor Professional Corporation as the City Auditor and also sign the contract on behalf of the City of La Pine.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

01:36:28

13. Contractor Selection for Cagle Road Improvements

City Attorney Green stated that during the Work Session it was decided that Mayor Shields would ask the Council for authority to get some clarification from Vic Russell on his bid proposal and then to sign the contract.

A motion was made by Councilor Ward and seconded by Councilor Hedges to give approval for Mayor Shields and City Recorder Damerval to get more information for clarification in order to be able to award the Cagle Road work contract and upon receipt of appropriate information that the Mayor and staff deem appropriate, give authority to the Mayor to sign the contract:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

01:43:06

14. Planning Commission - Update on Commission Activities

Vice Chair Gloria Fleming reviewed the Planning Commission and their activities thus far. She discussed the organization of the Commission, their training and also their joint meeting with the County Planning Commission.

Vice Chair Fleming announced that the next Public Hearing for the Comprehensive Plan will be on Nov. 18, 2009. She said a Workshop for the Planning Commissioners will be held on Nov. 12, 2009.

Chair John Thomas requested that the Council make a recommendation to the Commission to explore the formation of a Transportation Systems Planning Committee to assist the City using the Comprehensive Plan, upon completion, as a guide to fulfill the requirements of developing Transportation Systems Planning, State Planning Goal Number 12, State Transportation Planning Goal Oregon Administrative Rule 660-012.

01:50:10

City Attorney Green recommended that the request be reviewed and discussed at the next Council Meeting which would be Nov. 10, 2009. Council agreed with his suggestion.

01:50:50

15. Other Matters

15a) Midstate Electric and Ford Foundation Contract Discussion

City Attorney Green stated that there is a general perception that the City of La Pine has dropped the ball on this project at a community meeting held the night before. He discussed the action the City took to work with the three entities Midstate Electric, Deschutes County and the Ford Foundation. City Attorney Green stated that he requested a status report from Midstate's attorney after about a month had passed since the contract had been submitted for review. He said that on Oct. 15, 2009 he finally received an e-mail from Bill Sheridan, Midstate's attorney, to break the agreement into two separate agreements, one between the City of La Pine and Midstate and one between the City of La Pine and the Ford Foundation as it relates to the funding.

City Attorney Green stated that the Council and City have put a lot of money and time into this project. He said he will participate in a telephone conference with Midstate Electric tomorrow to discuss the matter further.

02:13:10

15b) Cagle Subdivision Road Improvements

City Attorney Green discussed the road improvements for the Cagle subdivision in preparation for the snowfall and also something that would be done again in the springtime after the snowmelt. He said the Council needs to give approval for the City Recorder to do a bid solicitation for a contractor to complete construction work and road improvements to the Cagle Road subdivision and Drafter Road.

A motion was made by Councilor Ward and seconded by Councilor Hedges to authorize City Recorder Damerval to pursue the solicitation of contracts to complete road improvements to the Cagle Road Subdivision and Drafter Road and to award and sign the contract:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

02:16:45

15c) Approval of Cell Phone Acquisition for Staff

Mayor Shields discussed the reasons why it would be a good idea for City Recorder Damerval to have a cell phone. Councilor Hedges stated that she had brought up the idea thinking it would be helpful for the City to provide City Recorder Damerval with a cell phone.

A motion was made by Councilor Hedges and Seconded by Councilor Ward to approve a cell phone acquisition for Staff and authorization for City Recorder Damerval to enter into a cell phone contract and also sign it.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

15d) Approval of Bills and Reimbursements

Mayor Shields stated that she had pulled the payment of reimbursements from the Consent Agenda due to an issue she had with one of them. She said Councilor Moilanen had submitted her mileage reimbursement form without noting on it what the travel was for. City Recorder Damerval stated that Councilor Moilanen has been waiting awhile to receive that particular monetary reimbursement. She also said that the travel was for the League of Oregon Cities annual conference that she attended with Councilor Moilanen.

A motion was made by Councilor Hedges and seconded by Councilor Ward to Approve Bills and Invoices With The Added Information Regarding Councilor Moilanen's Reimbursement request as Noted:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

02:23:30

16. Public Comments for Items not on the Agenda

Dale Hutchins, area resident, discussed, in detail, the difficulties his wife has had with the La Pine Community Clinic since moving to La Pine in May. John Thomas, former Treasurer for the La Pine Community Clinic, offered to make an appointment for Mr. and Mrs. Hutchins to meet with the Chief Executive Officer for the La Pine Community Clinic and discuss their concerns.

John Thomas, area resident, asked the following questions:

1) Do the local newspapers print public notices for the City at no cost?

City Recorder Damerval said, Yes, but they need to receive it before publication deadline.

2) Does the City have a budget for a City Manager?

Mayor Shields said not at this time.

3) Has there been discussion on hiring a City Manager?

Mayor Shields stated that they are keeping an eye on it to see if existing City Staff can work into that position, etc.

4) Will the City be advertising for the City Manager position should they chose to hire one?

Mayor Shields stated it will be widely advertised.

5) What has been done to date to change the speed limit on Huntington Road.

City Recorder Damerval stated that she will address it during her staff comments, later in the meeting.

Jim Fleming, area resident, thanked the City for the support letter for the Community Kitchen.

Marilyn Waggoner, area resident, asked about the status of the City's Charter? Mayor Shields stated that emergency issues occur and take up more time and push that goal back further. City Attorney Green said it is on the list to be worked on this coming Spring.

Vicky Jackson, area resident, asked City Attorney Green about his research into the possibility of having someone serve on the Council from outside the City. He said his preliminary research shows that it may be a possibility. City Attorney Green said he would let the Council know the results of his eventual findings. He said the City Charter would be the place for the City to determine what they wanted to do with this matter.

02:36:49

17. Staff Comments

City Recorder Damerval presented the following:

- City of Sisters has excess furniture and room dividers and has invited the City of La Pine to have first pick of that furniture.
- Meetings for November and December, in November the meetings are on Tuesdays the 10th and 24th and in December they are on Wednesday, Dec. 9th and Tuesday, Dec. 22nd.
- Dan Serpico, ODOT Region 4 Traffic, has responded to the City's request for speed changes on Hwy 97 and Huntington. He said they will move the speed limit signs on Hwy 97 further north of 1st street at 35 mph. Dan Serpico will send the traffic study results when they are finalized.
- COIC has invited the City Council to attend a dinner presentation about their programs.
- She passed out a list of the classes that she is taking through the League of Oregon Cities. She also discussed some of the classes she has already attended. She said she is almost half way through the courses.

Neither Administrative Assistant Morgan nor City Attorney Green had any comments.

02:41:15

18. Council Comments

Councilor Ward attended the last TAG meeting that also involved both the County and ODOT. He said the Wickiup Junction Interchange Program is on the number two priority list for ODOT and will probably receive funding in the next two years or so. Councilor Ward stated that the dirt portion of Huntington Road is now not going to be paved. He also said the County is still talking about putting in a roundabout at Day and Burgess Road. Councilor Ward asked the County if they would put in asphalt aprons on Doe, Antler and Pine, and they agreed to it.

Councilor Hedges stated that she attended the Ford Foundation Strategy and Goals Seminar and found it very helpful with the strategic planning that the City is now going through.

Mayor Shields stated a reminder from the Water and Sewer Districts to stay in contact with them whenever someone is doing road improvements.


19. Adjourn

A motion was made by Councilor Ward and seconded by Councilor Hedges to adjourn the meeting:

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	

Motion passed unanimously.

The meeting was adjourned at 8:05 pm by Mayor Shields.



Mayor Kitty Shields

Attest:



City Recorder Luana Damerval